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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

MARC SCONZO and LARRY GERSTEL,

Plaintiffs,

v.

SYNTHES (USA), SYNTHES SPINE  
COMPANY, L.P. and KOSTA KABOKOF,

Defendants.

-----x  
SYNTHES SPINE COMPANY, L.P.

Counterclaim Plaintiff,

v.

LARRY GERSTEL,

Counterclaim Defendant.

Civil Action No. 2:07-cv-03404

**STIPULATION OF DISMISSAL  
AS TO PLAINTIFF  
MARC SCONZO**

*10/28/08  
So Ordered  
Peter M. Sconzo*

It is hereby stipulated and agreed that Plaintiff Marc Sconzo's claims against defendants  
Synthes (U.S.A.), Synthes Spine Company, L.P. and Kosta Kobakof be and are hereby dismissed

with prejudice and that each party shall bear his/its own fees, including attorney fees, and costs.

DATED: October 22, 2008

SINGER & GOGER  
Attorneys for Plaintiff

*/s/ Susan S. Singer*

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Attorneys for Defendant Synthes (USA)  
and Defendant/Counterclaim Plaintiff Synthes Spine, L.P.

*/s/ Julie E. Reid*

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*/s/ Raymond A. Kresge*

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